

LAW OFFICES OF
SHUGHART THOMSON & KILROY, P.C.

A Professional Corporation

Twelve Wyandotte Plaza
 120 W. 12th Street
 Kansas City, MO 64105
 (816) 421-3355
 FAX (816) 374-0509

RECEIVED
 CENTRAL FAX CENTER

AUG 29 2005

TELECOPIER TRANSMITTAL SHEET

To: Merrick L. Dixon

FAX#: 571-273-8300

PHONE #:

FROM: Darla Faulhaber

DATE: August 29, 2005

RE: U.S. Serial No. 10/700 247

Inventor: THOMPSON, Alvin Dean

CLIENT MATTER CODE: DTS001/109492

This transmission consists of 6 pages, including the cover page.

Attached herewith are:

Fee Transmittal; Amendment in Response to Office Action dated June 29, 2005, Request for Extension of Time (two months).

PRIVILEGED AND CONFIDENTIAL

This facsimile contains CONFIDENTIAL INFORMATION, which may also be LEGALLY PRIVILEGED and which is intended only for the use of the individual or entity named above. If the reader of the facsimile is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby on notice that you are in possession of confidential and privileged information. Any dissemination, distribution or copying of this facsimile is strictly prohibited. If you have received this facsimile in error, please immediately notify the sender by telephone (collect) and return the original facsimile to the sender at the above address via the U. S. Postal Service.

If there are any discrepancies, please contact our telecopy operator at the number shown below:

TO DISCUSS TRANSMISSION: (816) 421-3355

Please Return Copy To:	Please Dispose Copy	Hard Copy Mailed
Darla Faulhaber		
For use by Office Services	Time Sent:	Call _____
Sent by:		to confirm that fax was sent

RECEIVED
 OIPE/IAP

AUG 30 2005

AUG 29 2005

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/700,247	
	Filing Date	11/3/2003	
	First Named Inventor	THOMPSON, Alvin Dean	
	Art Unit	1774	
	Examiner Name	DIXON, Merrick L.	
Total Number of Pages in This Submission	6	Attorney Docket Number	DTS001/109492

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Shughart Thomson & Kilroy P.C.	
Signature	<i>David A. Crawford</i>	
Date	8/29/05	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Darla Faulhaber	
Signature	<i>Darla Faulhaber</i>	Date 8/29/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

AUG 29 2005

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 225.00

Complete if Known

Application Number	10/700,247
Filing Date	11/3/2003
First Named Inventor	THOMPSON, Alvin Dean
Examiner Name	DIXON, Merrick L.
Art Unit	1774
Attorney Docket No.	DTS001/109482

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: 12-1660 Deposit Account Name: Shughart Thomson & Kilroy
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	50	500	250	200	100	
Design	200	00	100	50	130	65	
Plant	200	00	300	150	160	80	
Reissue	300	50	500	250	600	300	
Provisional	200	00	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Small Entity Fee (\$)	Fee Paid (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims		
Extra Claims		
Fee (\$)		
Fee Paid (\$)		
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims		
Extra Claims		
Fee (\$)		
Fee Paid (\$)		
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 37 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): no Month Extension of Time

Fees Paid (\$)
225.00

SUBMITTED BY

Signature	<u>Dennis Crawford</u>	Registration No. (Attorney/Agent) 28,940	Telephone 816-421-3355
Name (Print/Type)	Dennis Crawford		Date 8/29/2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

AUG 29 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10,700,247
Applicant : Alvin Dean Thompson
Filing Date : November 3, 2003
Art Unit : 1774
Title : FIBROUS REBAR WITH HYDRAULIC BINDER
Examiner : Merrick L. Dixon

Docket No. : 503381-0006
Customer No. : 24330


MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Facsimile Transmission

I hereby certify that this paper is being transmitted via facsimile to the attention of Merrick L. Dixon, Group Art Unit 1774, U.S. Patent and Trademark Office, to Facsimile No. 571-273-8300 on the date shown below.

August 29, 2005

Date


Darla Faulhaber

08/30/2005 JBALINAN 00000048 121660 10700247

01 FC:2252 225.00 DA

ELECTION

Sir:

This Paper responds to the communication mailed June 29, 2005. Please enter the following Election to the above-identified Application.

The Applicant herewith petitions the Commissioner of Patents and Trademarks to extend the time for reply to the Office Action dated June 29, 2005 for two (2) months from July 29, 2005 to August 29, 2005. Please charge the fee (\$225.00) for this Extension of Time to deposit account 12-1660. Two copies of the fee transmittal are attached.

Please charge an / deficiency or credit any overpayment with respect to this extension fee to deposit account number 12-1660.

Page 1 of 2

1775510.1

Appl No. 10/700,247
Election Dated August 29, 2005
Reply to Office Action of June 29, 2005

Election

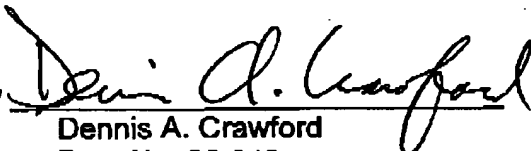
The Examiner has identified multiple inventions in the present application and has required restriction to one of two groups of claims: Claims 1-24 drawn to an elongated structural rebar and Claims 25-42 drawn to methods for making such a structural rebar.

Applicant provisionally elects to prosecute Claims 1-24 in the present application.

The Examiner is invited to contact Applicant's attorney at the telephone number listed below in the event it is felt the prosecution of this application can be expedited thereby.

Respectfully submitted,

Alvin Dean Thompson

By 

Dennis A. Crawford
Reg. No. 28,940
Shughart, Thomson & Kilroy, P.C.
120 West 12th Street
Suite 1800
Kansas City, Missouri 64105

Tel: (816) 421-3355
Fax: (816) 374-0509